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AN ACT

relating to a prohibition against use of school district resources for a hotel.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 11, Education Code, is amended by adding Section 11.178 to read as follows:

Sec. 11.178. PROHIBITION AGAINST USE OF SCHOOL DISTRICT RESOURCES FOR HOTEL. (a) In this section, "hotel" means a building in which members of the public obtain sleeping accommodations for consideration. The term includes a motel.

(b) The board of trustees of an independent school district may not impose taxes, issue bonds, use or authorize the use of school district employees, use or authorize the use of school district property, money, or other resources, or acquire property for the design, construction, renovation, or operation of a hotel.

(c) The board of trustees of an independent school district may not enter into a lease, contract, or other agreement that:

(1) obligates the board to engage in an activity prohibited by Subsection (b); or

(2) obligates the use of district employees or resources in a manner prohibited by Subsection (b).

SECTION 2. Subsection (c), Section 11.178, Education Code, as added by this Act, applies only to an agreement concerning the use of school district resources for a hotel that is entered into on

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1 or after the effective date of this Act. An agreement concerning  
2 the use of school district resources for a hotel that is entered  
3 into before the effective date of this Act is governed by the law in  
4 effect on the date the agreement was entered into, and that law is  
5 continued in effect for that purpose.

6 SECTION 3. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2011. \_\_\_\_\_

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David Swinkurst  
President of the Senate

Joe Straus  
Speaker of the House

I hereby certify that S.B. No. 764 passed the Senate on  
March 24, 2011, by the following vote: Yeas 31, Nays 0.

Lately Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 764 passed the House on  
May 19, 2011, by the following vote: Yeas 141, Nays 4, two  
present not voting.

Robert Haney  
Chief Clerk of the House

Approved:

17 Jun '11  
Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4:00pm O'CLOCK

JUN 17 2011  
[Signature]  
Secretary of State